

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is the patent application of:

Inventor: Alfred S. Despres III et al.

For: MODULAR CONNECTION FOR ORTHOPEDIC COMPONENT

Enclosed are:

- ☒ 5 sheets of drawings.
- ☐ An assignment of the invention to: \_\_\_\_\_
- ☐ A verified statement to establish small entity status.
- ☒ REQUEST FOR FILING RULE 1.53(B) CONTINUATION APPLICATION.

The filing fee has been calculated as shown below:

For:	No. Filed	No. Extra	Small Entity		Large Entity	
			Rate	Fee	Rate	Fee
Basic Fee				\$385.00		\$770.00
Total Claims	34 - 20	14	x \$ 9.00		x \$18.00	\$252.00
Ind. Claims	2 - 3	0	x \$43.00		x \$ 86.00	0.00
Mult. Claims			+ \$145.00		+ \$290.00	
				Total	\$1022.00	

- ☐ Please charge my Deposit Account No. 16-0221 to cover the filing fee and assignment recording fee. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the filing fee (and assignment recording fee) is enclosed.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.
  - ☐ Any additional filing fees required under 37 CFR 1.16.
  - ☐ Any patent application processing fees under 37 CFR 1.17.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 16-0221. A duplicate copy of this sheet is enclosed.
  - ☐ Any patent application processing fees under 37 CFR 1.17.
  - ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
  - ☐ Any filing fees under 37 CFR 1.16 for presentation of extra claims.

Respectfully submitted,

*James A. Sheridan 12/30/03*

James A. Sheridan  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE REQUESTED FILING OF RULE 1.53(B)  
CONTINUATION PATENT APPLICATION BASED ON  
THE FOLLOWING PENDING PRIOR PATENT APPLICATION:

22264 U.S. PTO  
10/749136



In re Application of: Alfred S. Despres III et al.  
Serial No.: 09/909,929  
Filing Date: 07/20/2001  
Title: MODULAR CONNECTION FOR ORTHOPEDIC  
COMPONENT  
Group Art Unit: 3732  
Examiner: Pedro Philogene  
Attorney's Docket No.: HAYES-2

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

FILING OF PATENT APPLICATION UNDER 37 CFR 1.10

The attached Rule 1.53(B) continuation application is being  
filed under the provisions of 37 CFR 1.10.

\*EXPRESS MAIL\* MAILING LABEL NUMBER ER304317786US

DATE OF DEPOSIT December 30, 2003

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING  
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE  
\*EXPRESS MAIL POST OFFICE TO ADDRESSEE\* SERVICE UNDER  
37 CFR 1.10 ON THE DATE INDICATED ABOVE AND IS ADDRESSED  
TO THE COMMISSIONER FOR PATENTS, PO BOX 1450, ALEXANDRIA,  
VA 22313-1450.

James A. Sheridan

(PERSON MAILING)

James A. Sheridan 12/30/03  
(SIGNATURE)

KK/HAYES2CON.FIL

Respectfully submitted,

*James A. Sheridan 12/30/03*  
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IN RE REQUESTED FILING OF RULE 1.53(B)  
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Sir:

REQUEST FOR FILING RULE 1.53(B) CONTINUATION APPLICATION

This is a request for filing a continuation application, in accordance with Rule 1.53(B), of pending prior application Serial No. 09/909,929, filed 07/20/2001 by Alfred S. Despres III et al. for MODULAR CONNECTION FOR ORTHOPEDIC COMPONENT.

Submitted with this request are the following:

1. A true copy of said prior application Serial No. 09/909,929 (including specification, claims, drawings, and an unsigned Declaration and Power of Attorney) as originally filed;
2. A copy of RESPONSE TO OUTSTANDING NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION - FILING DATE GRANTED, including a signed Declaration and Power of Attorney and a Duplicate Copy of Notice to File Missing Parts;
3. An AFFIDAVIT by the undersigned attorney of record verifying that the enclosed copy of said pending prior application Serial No. 09/909,929 is a complete and true copy;

HAYES-2 CON



123003

11696 U.S.PTO

4. A PRELIMINARY AMENDMENT which amends the application to show that it is a continuation of parent application Serial No. 09/909,929, filed 07/20/2001 by Alfred S. Despres III et al. for MODULAR CONNECTION FOR ORTHOPEDIC COMPONENT, which in turn claims benefit of prior U.S. Provisional Patent Application Serial No. 60/219,955, filed 07/20/00 by Alfred S. Despres III et al. for MODULAR ORTHOPEDIC CONNECTION (Attorney's Docket No. HAYES-1 PROV); and prior U.S. Provisional Patent Application Serial No. 60/219,963, filed 07/20/00 by Alfred S. Despres III et al. for FORCE COUPLE CONNECTION (Attorney's Docket No. HAYES-2 PROV); and

5. A mailing certificate indicating that this submittal is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on December 30, 2003 as provided for under 37 CFR 1.10.

The Power of Attorney in the pending prior application is to Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, Scott R. Foster, Registration No. 20570, and James A. Sheridan, Registration No. 43114, or any of them, all of 470 Totten Pond Road, Waltham, MA 02451-1914 (Telephone No. 781-290-0060).

The inventors named in this continuation application are the same inventors named in the prior applications Serial No. 09/909,929.

The Commissioner is also authorized to prepare a certified copy of said prior copending application if the same is deemed to be necessary and to charge the cost of same to Deposit Account No. 16-0221.

A duplicate copy of this letter is enclosed for filing in said prior copending application.

All communications in this matter should be addressed to:

Mark J. Pandiscio  
Pandiscio & Pandiscio  
470 Totten Pond Road  
Waltham, Massachusetts 02154.

Thank you.

Respectfully submitted,

*James A. Sheridan 12/30/03*

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SUBMISSION OF FORMAL DRAWINGS

Enclosed herewith please find the formal drawings for the above-identified patent application, consisting of Figs. 1-5 on five (5) sheets of drawings.

In the event that any fee is required to be paid in connection with the present submission of formal drawings, please charge the cost of the same to Deposit Account No. 16-0221. A duplicate copy of this letter is enclosed for the convenience of the Patent and Trademark Office.

Thank you.

Respectfully submitted,

*James A. Sheridan 12/30/03*

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HAYES-2 CON